

3997  
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2  
3 BILL NO. Z-78-03-23

4 ZONING MAP ORDINANCE NO. Z- Kent

5 AN ORDINANCE amending the City of  
6 Fort Wayne Zoning Map No. N22.

7 BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE,  
8 INDIANA:

9 SECTION 1. That the area described as follows is hereby  
10 designated a B3A District under the terms of Chapter 33, Municipal Code  
11 of the City of Fort Wayne, Indiana, 1974; and the symbols of the City  
12 of Fort Wayne Zoning Map No. N22, referred to therein, established by  
13 Section 33-11, of said Chapter are hereby changed accordingly, to wit:

14 Lots #27 & 28 in Highland Park, Section 25,  
15 Washington Township, more commonly known as  
516 Cumberland Avenue, Fort Wayne, Indiana.

16 SECTION 2. That this Ordinance shall be in full force and  
17 effect from and after its passage, approval by the Mayor and legal  
18 publication thereof.

19  
20 Vivian G. Schmidt  
21 Councilman

22  
23  
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25  
26  
27 APPROVED AS TO FORM  
28 AND LEGALITY, \_\_\_\_\_  
29 [Signature]  
30 CITY ATTORNEY  
31  
32  
33  
34  
35

Read the first time in full and on motion by V. Schmidt, seconded by

Hinga, and duly adopted, read the second time by title and referred to the Committee on Regulation (and the City Plan Commission for recommendation) and ~~Public Hearing to be held after due legal notice~~, at the Council Chambers, City-County Building, Fort Wayne, Indiana, on \_\_\_\_\_, the \_\_\_\_\_ day of \_\_\_\_\_, 19\_\_\_\_, at \_\_\_\_\_ o'clock \_\_\_\_\_ M., E.S.T.

DATE: 3-28-78

Charles W. Winterman  
CITY CLERK

Read the third time in full and on motion by J. Schmidt,

seconded by Hinga, and duly adopted, placed on its passage.

~~PASSED~~ (LOST) by the following vote:

	<u>AYES</u>	<u>NAYS</u>	<u>ABSTAINED</u>	<u>ABSENT</u>	<u>TO-WIT:</u>
<u>TOTAL VOTES</u>	<u>0</u>	<u>8</u>	_____	<u>1</u>	_____
<u>BURNS</u>	_____	<u>X</u>	_____	_____	_____
<u>HINGA</u>	_____	<u>X</u>	_____	_____	_____
<u>HUNTER</u>	_____	_____	_____	<u>X</u>	_____
<u>MOSES</u>	_____	<u>X</u>	_____	_____	_____
<u>NUCKOLS</u>	_____	<u>X</u>	_____	_____	_____
<u>SCHMIDT, D.</u>	_____	<u>X</u>	_____	_____	_____
<u>SCHMIDT, V.</u>	_____	<u>X</u>	_____	_____	_____
<u>STIER</u>	_____	<u>X</u>	_____	_____	_____
<u>TALARICO</u>	_____	<u>X</u>	_____	_____	_____

DATE: 5-8-78

Charles W. Winterman  
CITY CLERK

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as (ZONING MAP) (GENERAL) (ANNEXATION) (SPECIAL) (APPROPRIATION) ORDINANCE (RESOLUTION) No. \_\_\_\_\_ on the \_\_\_\_\_ day of \_\_\_\_\_, 19\_\_\_\_.

ATTEST: (SEAL)

CITY CLERK

PRESIDING OFFICER

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the \_\_\_\_\_ day of \_\_\_\_\_, 19\_\_\_\_, at the hour of \_\_\_\_\_ o'clock \_\_\_\_\_ M., E.S.T.

CITY CLERK

Approved and signed by me this \_\_\_\_\_ day of \_\_\_\_\_, 19\_\_\_\_, at the hour of \_\_\_\_\_ o'clock \_\_\_\_\_ M., E.S.T.

MAYOR

RESOLUTION OF ZONING ORDINANCE AMENDMENT RECOMMENDATION

WHEREAS, the Common Council of the City of Fort Wayne, Indiana, on February 28, 1978, referred a proposed zoning map amendment to the City Plan Commission which proposed ordinance was designated as Bill No. Z-78-03-23; and,

WHEREAS, the required notice of public hearing on such proposed ordinance has been published as required by law; and,

WHEREAS, the City Plan Commission conducted a public hearing on such proposed ordinance on April 17, 1978;

NOW THEREFORE, BE IT RESOLVED that the City Plan Commission does hereby recommend that such proposed ordinance DO NOT PASS for the reasons that no need has been shown for the Land Use Plan to be amended, the amendment will not be in the best interest of and benefit to the area involved and of and to the City, and the amendment will be detrimental to and conflicts with the overall City Plan; and,

BE IT FURTHER RESOLVED that the Secretary is hereby directed to present a copy of this resolution to the Common Council at its next regular meeting.

This is to certify that the above is a true and exact copy of a resolution adopted at the meeting of the Fort Wayne City Plan Commission held April 24, 1978.

Certified and signed this  
26th day of April, 1978.

A handwritten signature in dark ink, appearing to read 'Luben Lazoff', written in a cursive style.

Luben Lazoff  
Secretary

Bill No. Z-78-03-23

REPORT OF THE COMMITTEE ON REGULATIONS

We, your Committee on Regulations to whom was referred an Ordinance  
amending the City of Fort Wayne Zoning Map No. N22

have had said Ordinance under consideration and beg leave to report back to the Common  
Council that said Ordinance do not PASS.

VIVIAN G. SCHMIDT - CHAIRMAN

JOHN NUCKOLS - VICE CHAIRMAN

WILLIAM T. HINGA

DONALD J. SCHMIDT

JAMES S. STIER

*Vivian G. Schmidt*  
*John Nuckols*  
*William T. Hinga*  
*Donald J. Schmidt*  
*James S. Stier*

## RECEIPT

Date

3 March 1978

No.

10117

Received From

Mrs. Edith Cingeman

Address

516 Cumberland Ave.

For

Paying  
Reasoning

09/100 Dollars \$ 50

ACCOUNT

HOW PAID

AMT. OF  
ACCOUNT

CASH

AMT. PAID

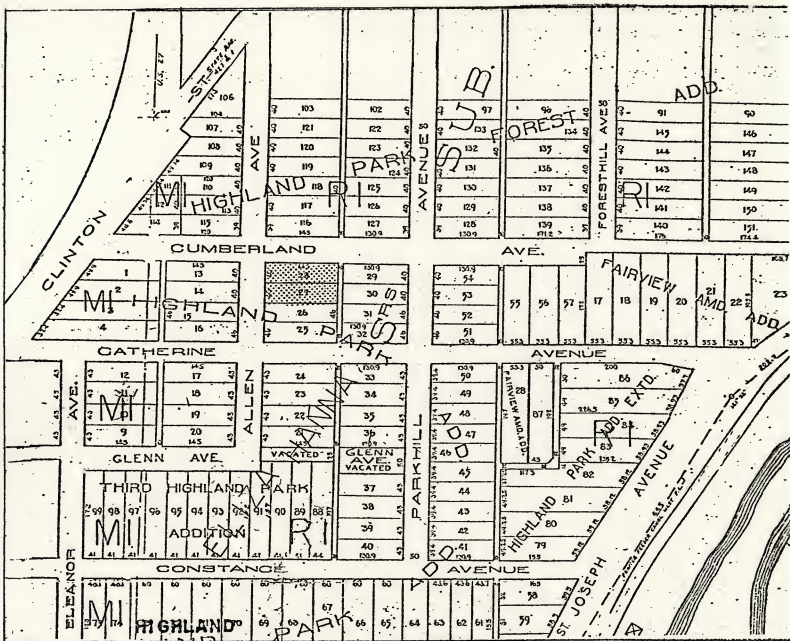
CHECK

BALANCE  
DUEMONEY  
ORDER

By

Pay D.

L1 to B3A

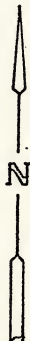


REZONE FROM RI TO B3A

MAP NO N22

Z-78-03-23

BY M.F.C. 3-7-78



Date Filed \_\_\_\_\_

Intended Use

*Antiques & Gift  
also Crafts Shop*

I/We

*Mrs Edista Engeman*  
(Applicant's Name or Names)

do hereby petition your Honorable Body to amend the Zoning Map of "R1"  
 Fort Wayne, Indiana, by reclassifying from a/an ~~Residential~~ District  
 to a/an *Business B3A* District the property described as follows:

*We have our home with 2 lots.  
 Parking in front. We are the only  
 house in the 500 Block of Cumberland  
 Business is in the 400 block a  
 Carpet Co and Fish and chips on  
 Clinton Street.*

*On Back*  
 (Legal Description) If additional space is needed, use reverse side.

*Highland Park Sec 25 Lots 28 & 27  
 Washington Twp. We have a unfinished  
 patio which I plan on using as the shop*  
 (General Description for Planning Staff Use Only)

I/We, the undersigned, certify that I am/We are the owner(s) of fifty-one  
 percentum (51%) or more of the property described in this petition.

*Edista Engeman* *516 Cumberland ave* *46805*  
 (Name) (Address & Zip Code) (Signature)  
 (If additional space is needed, use reverse side)

Legal Description checked by \_\_\_\_\_

## NOTE FOLLOWING RULES

All requests for continuances or requests that ordinances be taken under  
 advisement shall be filed, in writing, in the office of Community  
 Development and Planning, by noon on the Wednesday preceding the meeting  
 of the City Plan Commission at which the ordinance is to be considered.  
 If the request for a continuance or advisement is filed within the required  
 time, the matter will not be put on the agenda for the meeting. It  
 shall be the obligation of the petitioner to notify the same property  
 owners which the Plan Commission had notified by mail that the hearing  
 has been postponed or rescheduled and inform them of the time and place  
 of the meeting at which the ordinance will be considered. All withdrawals  
 of the ordinances must be made in writing prior to the Plan Commission's  
 vote on the ordinance. (FILING FEE: \$50.00)

Name and address of the preparer, attorney or agent.

*Edista Engeman* *516 Cumberland ave* *484-9847*  
 (Name) (Address & Zip code) (Telephone Number)

COMMUNITY DEVELOPMENT AND PLANNING / Division of Long Range Planning and  
 Zoning (CITY PLAN COMMISSION) / Room # 830, City-County Building, One  
 Main Street / Fort Wayne, Indiana 46802 (Phone: 423-7571)

Applicants, Property owners and preparer shall be notified of the Public  
 Hearing approximately ten (10) days prior to the meeting.

Legal Description of property to be rezoning

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Owners of Property

Urban W. Engeman 516 Crutcherland Ave 46805  
Edista Engeman 516 Crutcherland Ave 46805

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

(Name)

(Address & Zip Code)

(Signature)

*Edista Engeman*

I only get \$295. pension a month. I need to earn some extra money. I am an Arthamatic and can not go out to work. I also have to help my Mother who gets around \$100. a month. This shop will not bother anyone in the neighborhood in any way.



3997

Admn. Appr. \_\_\_\_\_

DIGEST SHEET

TITLE OF ORDINANCE Zoning Ordinance Amendment

3-78-03-23

DEPARTMENT REQUESTING ORDINANCE Long Range Planning & Zoning - CD&P

SYNOPSIS OF ORDINANCE Lots #27 & 28 in Highland Park, Section 25, Washington Township, more commonly known as 516 Cumberland Avenue, Fort Wayne, Indiana.

EFFECT OF PASSAGE Property is now zoned "R1" District - Single Family Residential. Property will become "B3A" District - General Business.

EFFECT OF NON-PASSAGE Property will remain "R1" District - Single Family Residential.

MONEY INVOLVED (Direct Costs, Expenditures, Savings) None

ASSIGNED TO COMMITTEE (J.N.) \_\_\_\_\_

*Res*